

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)
)
Plaintiff,) **ORDER**
)
vs.)
)
Kayla Renee Keyes,) Case No. 1:18-cr-123 and 1:20-cr-075
)
Defendant.)

Defendant is charged in a petition with violating her conditions of supervised release in Case No. 1:18-cr-123. She is also charged in Case No. 1:20-cr-075 with the commission of the following two offenses while on supervised release: (1) conspiracy to distribute and possess with intent to distribute controlled substances in violation of 21 U.S.C. § 846; and (2) maintaining a drug involved premises in violation of 21 U.S.C. §§ 856(a)(1) and 856(b). She was ordered detained following a detention hearing on June 12, 2020.

On June 19, 2020, defendant filed Motions for Reconsideration in both of her cases. (Case No. 1:18-cr-123, Doc. No. 160; Case no. 1:20-cr-075, Doc. No. 15). She advises that she has been accepted to an inpatient treatment program at the Florida Center for Recovery, Inc., in Fort Pierce, Florida. She requests to be released to travel to and participate in this treatment program.

On June 20, 2020, the United States file responses in opposition to defendants' motions. It asserts that defendant is not an appropriate candidate for treatment release given, among other things, her failure to acknowledge her need for treatment, her demonstrated inability to comply with this court's orders, and her continued engagement in criminal activity.

The court finds there have been no material change in defendant's circumstances to warrant

her release. Defendant has not met her burden in Case No. 1:18-cr-123 and demonstrated by the requisite evidence that she poses neither a danger nor a flight risk. Moreover, there is the presumption of detention in Case No. 1:20-cr-075 that defendant has failed to rebut. There is also the Grand Jury's finding of probable cause in Case No. 1:20-cr-075 that defendant was engaging in criminal conduct while she was on supervised release and the apparent strength of the United States' case. Defendants' motions for reconsideration (Case No. 1:18-cr-123, Doc. No. 160; Case No. 1:20-cr-075, Doc. No. 15) are therefore **DENIED**.

IT IS SO ORDERED.

Dated this 22nd day of June, 2020.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court